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Milbrath & Gilchrist, P.A.**

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FACSIMILE COVER SHEET

TO: Examiner Brent Swarthout - United States Patent and Trademark Office; Art Unit- 2612

CLIENT NAME/NUMBER: 58180

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FROM: Jack G. Abid

DATE: December 4, 2006

NUMBER OF PAGES (INCLUDING COVER SHEET): 10

COMMENTS/INSTRUCTIONS:

Please see the attached Reply Brief in response to the Examiner's Answer of October 3, 2006 for U.S. Patent Application Serial No. 10/649,267.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS

In re Patent Application of:)	
FLICK)	Examiner: B. SWARTHOUT
Serial No. 10/649,267)	
)	Art Unit: 2636
Filing Date: AUGUST 27, 2003)	
)	Attorney Docket No. 58180
For: VEHICLE SECURITY DEVICE)	
INCLUDING PRE-WARN INDICATOR)	
AND RELATED METHODS)	

APPELLANT'S REPLY BRIEF

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Herewith is Appellant's Reply Brief that is submitted in reply to the Examiner's Answer to Appellant's Appeal Brief ("Examiner's Answer"). If any additional extensions and/or fees are required, authorization is given to charge Deposit Account No. 01-0484.

I. "Extending Throughout The Vehicle" In The Claimed Invention

As pointed out in Appellant's Appeal Brief, independent Claims 1, 10, 17, 26, and 32 recite a vehicle data communications bus extending throughout the vehicle and carrying data and address information thereover. In the Examiner's Answer, the Examiner contends that the claim recitation "extending throughout the vehicle" has support in the specification only to the extent that the bus is interconnected to various components that are throughout the

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vehicle. The Examiner further contends that the specification of the present application is silent on the specific physical locations where the data communications bus extends.

Appellant respectfully submits that one of ordinary skill in the art would understand where the exemplary vehicle devices are located within the vehicle and, hence, where the data communications bus extends. Moreover, the present application recites:

[the] pre-warn vehicle security device 20 is for use with a vehicle 21 that includes a data communications bus 22, an alert indicator 24, and an alarm controller 25. In particular, the data communications bus 22 is typically used to facilitate communications between numerous vehicle devices 23 without having to run dedicated wires throughout the vehicle 21. By way of example, such vehicle devices 23 may include horns, doorlock motors, trunk releases, engine starters, etc. (Paragraph 26).

II. Mischaracterization Of Nykerk Patent

A. The Nykerk Patent Does Not Teach A Data Communications Bus Extending Throughout The Vehicle

In the Examiner's Answer, the Examiner contends that the claim recitation "data communications bus extending throughout the vehicle", as recited in independent Claims 1, 10, 17, 26, and 32, is disclosed in the Nykerk patent. The Nykerk patent discloses communication between the control module 57 and other vehicle components through a conventional wiring harness 30. (Figures 1 & 4; Col. 8, lines 9-13). The Examiner correctly notes that the Nykerk patent discloses a

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data bus 64 constrained in the control module 57 but contends the data bus 64 extends throughout the vehicle, at least to the extent of the control module.

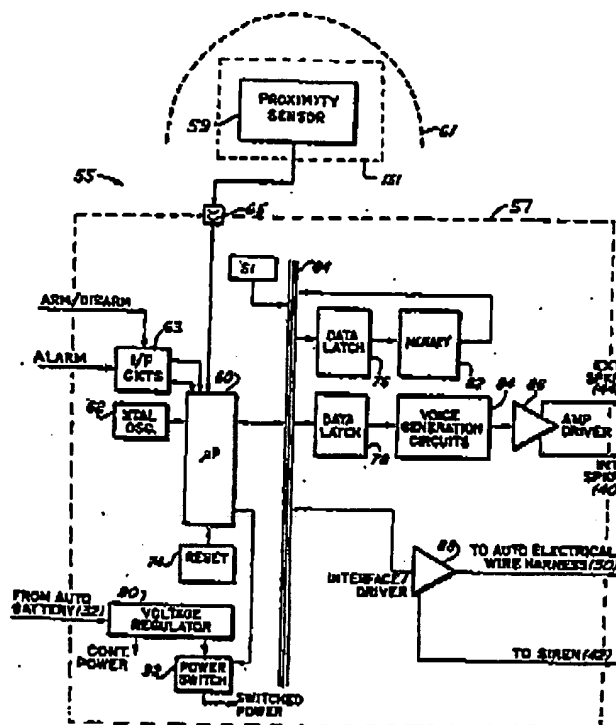


Figure 4 of the Nykerk Patent

Appellant submits that the Examiner has mischaracterized the data bus 64 of the Nykerk patent. As depicted in Figure 4 of the Nykerk patent, reproduced above, the data bus 64 of the Nykerk patent extends throughout the control module 57 and not throughout the vehicle, as recited in independent Claims 1, 10, 17, 26, and 32. Accordingly,

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independent Claims 1, 10, 17, 26, and 32 are patentable over the Nykerk patent.

B. The Data Bus Does Not Extend Through The Wiring Harness

In the Examiner's Answer, the Examiner also alternatively contends that the data bus 64, via interface/driver circuit 88 and electrical harness 30, communicates with the vehicle components, making the electrical harness 30 part of the data bus 64.

Appellant respectfully submits that the Examiner has mischaracterized the Nykerk patent. The Nykerk patent discloses a conventional harness 30 extending throughout the vehicle and not the data bus 64. Appellant submits that simply connecting a data bus 64 and the wiring harness 30 through the interface/driver circuit 88 does not extend the data bus, as the Examiner contends. The characteristic that distinguishes a data bus from conventional wiring -the ability to connect multiple devices on the same set of wires- does not extend to the wiring harness 30 simply because one can connect it to the data bus 64 through the interface/driver circuit 88. The limitation of conventional wiring, a dedicated wire for communication to each vehicle component, remains. Accordingly, independent Claims 1, 10, 17, 26, and 32 are patentable over the Nykerk patent.

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III. Mischaracterization Of The Suman et al. Patent

A. The Suman et al. Patent Does Not Teach A Data Communications Bus Extending Throughout The Vehicle

In the Examiner's Answer, the Examiner contends that the claim recitation "data communications bus extending throughout the vehicle", as recited in independent Claims 1, 10, 17, 26, and 32, is disclosed in the Suman et al. patent. The Suman et al. patent discloses a driver circuit comprising a data bus 111, a data interface 100, and a conductor 129. The Suman et al. patent discloses the data bus 111 extending within the driver circuit 75. (Figure 6A, reproduced below).

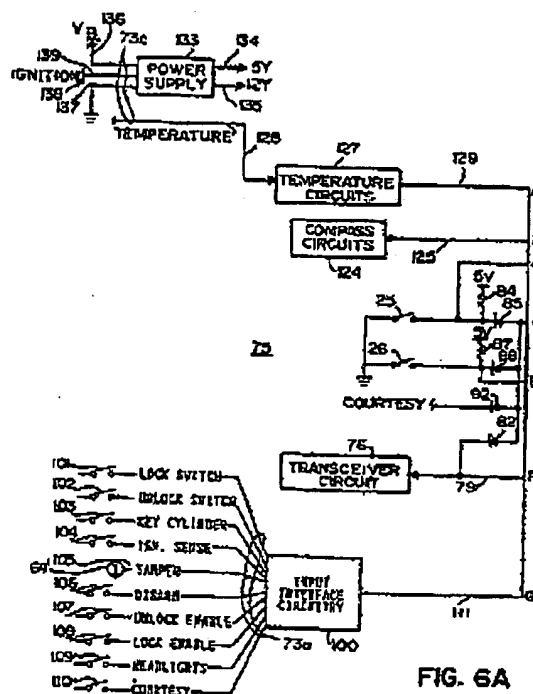


FIG. 6A

Figure 6A of the Suman et al. Patent

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Furthermore, the Suman et al. patent discloses the data bus 111 connecting with the input interface circuitry 100, which then connects with the wiring harness 73a. The Suman et al. patent discloses that the input circuitry 100 and the data bus 111 are contained within the driver circuit 75, which is located within the roof of the vehicle. (Figures 6A & 6B; Col. 4, lines 21-23 & 52-54). Indeed, Figure 2 of the Suman et al. patent, reproduced below, depicts the cable 73 extending from the roof of the vehicle. The Examiner contends that the Suman et al. patent teaches the data communications bus 111 extending throughout the vehicle from the data interface 100 to the conductor 129.

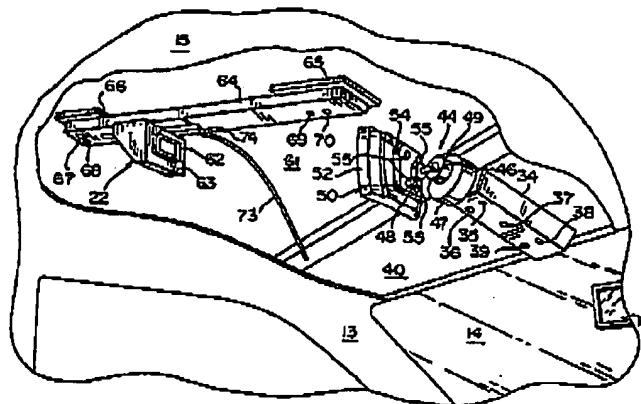


Figure 2 of the Suman et al. Patent

Appellant respectfully submits that the Examiner's above contention mischaracterizes the Suman et al. patent. As discussed above, the Suman et al. patent discloses the data bus 111 extends only between the input interface circuitry 100

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and the conductor 129. More simply, the Suman et al. patent discloses the data bus 111 extending throughout the driver circuit 75 and not extending throughout the vehicle, as claimed. Accordingly, independent Claims 1, 10, 17, 26, and 32 are patentable over the Suman et al. patent.

B. The Data Bus Does Not Extend Through The Wiring Harness

In the Examiner's Answer, the Examiner also alternatively contends that although the Suman et al. data bus 111 is located entirely within the roof of the vehicle, the data bus is "essentially extending" throughout the vehicle by means of connection to the wiring harness 73a through the input circuitry 100.

Appellant submits that this contention of the Examiner is defective for similar reasons as discussed above in Section II(B) regarding the Nykerk Patent. Accordingly, independent Claims 1, 10, 17, 26, and 32 are patentable over the Suman et al. patent.

IV. Mischaracterization Of The Zwern Patent

In the Examiner's Answer, the Examiner correctly noted that the Hwang '407 patent does not disclose a multi-stage sensor and pre-warn-indicator carried by a housing, as recited in independent Claims 1, 10, 17, 26, and 32. The Examiner looked to the Zwern patent to provide this recitation of the claims. The Zwern patent discloses an alarm system 10 that includes a voice processing device 12 and alarm controller 22 situated separately in another housing. (Col.

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13, lines 25-29; Figures 1-2). Furthermore, the Zwern patent discloses a sensor 26 and alert indicator 18 disposed away from the housings of both the alarm controller 22 and the voice processing device 12.

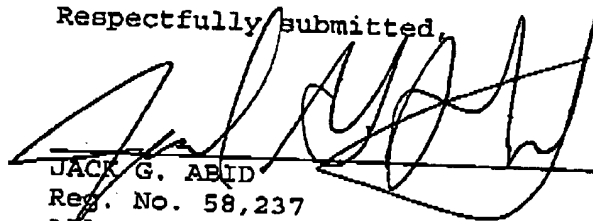
In contrast to the Zwern patent, independent Claims 1, 10, 17, 26, and 32 recite a multi-stage sensor and pre-warn-indicator carried by a housing. The Zwern patent discloses locating the voice processing device 12 and the alarm controller 22 in separate housings. Furthermore, the alert indicator 18 and sensor 26 are located outside these respective housings. Indeed, the Zwern patent discloses that alarm controller 22 is independently operating and can function without other components of the alarm system 10, (Col. 13, lines 45-50), and that the alert indicator 18 is located in open air with no housing at all. (Col. 11, lines 54-61). Therefore, for this reason also, independent Claims 1, 10, 17, 26, and 32 are patentable over the prior art.

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V. Conclusion

In light of Appellant's earlier brief and this reply to the Examiner's arguments, it is respectfully submitted that all of the claims are patentable over the prior art. Appellant, therefore, respectfully requests that the Board of Patent Appeals and Interferences reverse the earlier unfavorable decision of the Examiner.

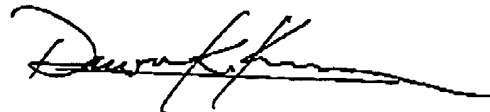
Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 4th day of December, 2006.



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